

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6826 OF 2005**

Ajay Narayan Pankhade & anr. ...Applicants
VS.

The State of Maharashtra ...Respondent

Mr.Nitin Pradhan i/b Ms S.D.Khot for the Applicants
Mr.R.Y.Mirza,A.P.P. for State

**CORAM: A.S.OKA, J.
DATE : OCTOBER 27, 2005**

P.C.:

1. Heard Shri Pradhan for the Applicants and the learned A.P.P. for State. After arguing the matter for some time, the learned A.P.P. on instructions of the Investigating Officer stated that the investigation is still in progress and if some material is available warranting custodial interrogation of the Applicants, the Respondent-State will give 72 hours notice to the Applicants.

2. In view of this statement, it is not necessary to decide the application on merits. Application is disposed of by passing the following order :

i) In the event the Respondent-State desires to arrest the Applicants in connection with C.R.No.138 of 2005 registered with Khalapur Police Station, Raigad, 72 hours advance notice will be given to the Applicants.

ii) It is obvious that if such notice is given to the Applicants, the Applicants will be entitled to apply afresh for grant of anticipatory bail before the appropriate Court. The Applicants are directed to co-operate with the Investigating Officer for further investigation.

5. All contentions of the parties on merits are kept open.

6. Application is disposed of in above terms.

JUDGE